



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

December 19, 2011

Robert Steele and Tony Peck
1055 North 400 East
Nephi, Utah 84648

Re: Follow Up Letter to the Inspection Conducted On December 13, 2011; Robert Steele and Tony Peck; Nephi Gypsum Quarry; M/023/0011; Juab County, Utah

Dear Messrs. Steele and Peck:

This letter is to follow up on the inspection that was conducted on December 13, 2011, at the Nephi Gypsum quarry in Juab County. The purpose of the inspection was to investigate the conditions that were cited in the Notice of Violation (NOV), MN-2011-42-01, that was issued November 15, 2011. The NOV was issued because the site contained trash and extraneous debris that had not been properly disposed of. The deadline for abatement was December 3, 2011, but the cleanup work had not been completed as of that date.

For now, the Division of Oil, Gas and Mining will extend the abatement deadline to January 9, 2011. Based on conversations during the December 13, 2011, inspection, it is apparent that you do not feel a violation occurred, i.e. that items the Division considers to be trash are useful in some way or that cleanup of some areas is not possible because the land belongs to another entity. **The Division suggests that you schedule an informal conference to discuss the fact of the violation. Please contact Vickie Southwick at 801-538-5304 to schedule the conference. If you fail to schedule the conference, abate the violation by the extended date, or to request an extension of the deadline, the Division is likely to issue a cessation order carrying a fine of \$750.00 per day.**


There is an area west of a berm which is apparently owned by Nephi Sandstone but is also included within the area permitted and bonded for reclamation as part of the mine. For now, you are considered responsible for reclamation of this area. If this area is no longer being used as part of the mining operation, the Division suggests that you submit an amendment to the plan eliminating it as part of the mine. The amendment would need to show that the area is no longer being used for mining operations, discuss its current use, and show that the current use is feasible and likely to continue into the foreseeable future. The amendment would also need to contain revised text and maps deleting this area, and it should contain a bond release request on form MR-SITE. A copy of this form is enclosed, and it is also available on the Division's web site www.ogm.utah.gov.



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Please let me know if the Division can be of any assistance. I can be reached by telephone at 801-538-5261 or by e mail at paulbaker@utah.gov. Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read 'PBB' followed by a stylized flourish.

Paul B. Baker
Minerals Program Manager

PBB:whw:eb
Enclosure: Form MR-SITE and Inspection Report
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